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Attorney for Defendants
JOHN C. REYNOLDS and DOLORES A. REYNOLDS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff,

v.

KING OF THE ROLL II; WAYNE
CHANG; VANNA HUANG; JOHN
WEN; JOHN C. REYNOLDS;
DOLORES A. REYNOLDS; DOE
TRUSTS 1-5; and DOES 6
through 50, inclusive,

Defendants.

CASE NO. CV-09-1901 EMC
Civil Rights

**STIPULATION AND [Proposed] ORDER TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

Case Management Conference:

Date: April 7, 2010
Time: 1:30 PM
Place: Courtroom C, 15th Fl.
Judge: Hon. Edward M. Chen

_____/

The parties request a 60 day continuance of the Case Management Conference scheduled for April 7, 2010 to permit completion of negotiations and/or mediation. The parties are pleased to report that they have been cooperating and have made the following progress toward resolution of the matter. To date, the parties have completed a joint site inspection, attended by all parties, consultants and counsel, as required by General Order 56. Plaintiff has provided defendants with his demand as to remediations along with the report of his principal access consultant Karl Danz,

1 which contained his proposed remediation drawings. The parties have reached agreement in
2 writing as to the detailed list of remedial work to be performed at the site, much of which has
3 already been completed. The parties are now in the process of negotiating the remaining
4 monetary claims and anticipate reaching either resolution or impasse within the next 60 days.

5 In order to maintain the momentum toward settlement and to assist the parties in their
6 negotiations, the parties request referral of this matter to court-sponsored mediation.

7 SO STIPULATED.

8
9 Dated: March 30, 2010

THIMESCH LAW OFFICES
TIMOTHY S. THIMESCH

10 /s/ Authorized Signed
11 Attorneys for Plaintiff
12 CRAIG YATES

13 Dated: March 30, 2010

NIXON PEABODY LLP

14 /s/ Authorized Signed
15 ELLEN M. PAPADAKIS
16 Attorneys for Defendants
17 KING OF THE ROLL II; VANNA HUANG; and
18 JOHN WEN

19 Dated: March 30, 2010

JAMES R. HASTINGS, ESQ.
J. R. HASTINGS LAW CORPORATION

20 /s/ Authorized Signed
21 Attorneys for Defendants
22 JOHN C. REYNOLDS and DOLORES A.
23 REYNOLDS

24 **ORDER**

25 SO ORDERED. The case management conference is reset from 4/7/10 to 6/16/10 at 1:30
26 p.m. A joint CMC statement shall be filed by 6/9/10.

27 Dated: 3/30/10

28 HON. EDWARD M. CHEN
MAGISTRATE JUDGE FOR U.S. DISTRICT COURT

